

APPENDIX 5

STATUTES, REGULATIONS, AND POLICIES GOVERNING STATE FORESTS

This appendix compiles in one place for convenient reference the relevant legislation, regulations, and Board of Forestry and Fire Protection policies that pertain to State Forests.

1. PUBLIC RESOURCES CODE

§ 708. For the purpose of disseminating information relating to its activities, powers, duties, or functions, the department, with the approval of the Department of General Services, may issue publications, construct and maintain exhibits, and perform such acts and carry on such functions as in the opinion of the director will best tend to disseminate such information. Such publications may be distributed free of charge to public libraries and to other state departments and state officers. The department may exchange copies with contemporary publications. All money received by the department from the sale of publications shall be paid into the State Treasury to the credit of the General Fund.

§ 740. The board shall represent the state's interest in the acquisition and management of state forests as provided by law and in federal land matters pertaining to forestry, and the protection of the state's interests in forest resources on private lands, and shall determine, establish, and maintain an adequate forest policy. General policies for guidance of the department shall be determined by the board.

§ 4332. Whenever it is necessary in the interests of public peace or safety, the director, with the consent of the Governor, may order closed to camping, hunting, trapping, or the use of firearms, any area in any state park or state forest. The director shall post and enforce such closure order in such area.

§ 4333. Any order which is issued pursuant to Section 4332 shall be published twice in at least one newspaper of general circulation in any county that is affected by the order. The publication shall be separated by a period of not less than one week and not more than two weeks. The order shall also be posted in such public places in each county as the director may direct, and along roads and trails which pass through such areas declared to be closed to camping or entry.

§ 4631. It is hereby declared to be in the interest of the welfare of the people of this state and their industries and other activities involving the use of wood, lumber, poles, piling, and other forest products, that desirable cutover forest lands, including those having young and old timber growth, be made fully productive and that the holding and reforestation of such lands is a necessary measure predicated on waning supplies of original old growth timber. It is further declared to be the policy of the state to acquire by purchase, exchange, lease, or grant all of the following:

- (a) Such cutover lands, the reforestation of which is not assured under private ownership, to reforest such lands during periods of unemployment and at other times.
- (b) Liquidating forest lands primarily suitable for timber production which may be acquired under precutting agreements.
- (c) Demonstration forests of 2,000 acres or less adapted to furnish local needs of investigation, demonstration, and education in those timber counties where the ownership pattern is such that management of small areas is an important problem.
- (d) One area, not to exceed approximately 40,000 acres, in each of the following forest districts, Coast Range Pine and Fir District, North Sierra Pine District and the South Sierra Pine District, for the purpose of demonstration of economical forest management. These areas shall not include virgin timber except that which is incidental to areas previously harvested.

§ 4631.5. It is further declared to be in the interest of the welfare of the people of this state that the state do all of the following:

- (a) Retain the existing land base of state forests in timber production for research and demonstration purposes.
- (b) Cooperate with local governments in mitigating the impacts on school enrollment of geothermal development which occurs in proximity to state-owned forest lands.

§ 4635. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

§ 4636. "Continuous production" means such management as will approach a balance between depletion and growth.

§ 4637. "Forest land" means lands primarily suited to growing timber and other forest products.

§ 4638. "Forest products" includes sawlogs, pilings, poles, split products, pulpwood, bolts, bark and other products.

§ 4639. "Management" means the handling of forest crop and forest soil so as to achieve maximum sustained production of high quality forest products while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, and aesthetic enjoyment.

§ 4640. "Protection" means protection of forest trees against damage by fire, insects, disease, and trespass.

§ 4641. "Purchase area" means an area of forest land within which forest lands of sufficient acreage may be available and can be consolidated to make state forest units.

§ 4642. "Reforestation" includes reforestation by natural means from seed and artificially by seeding or planting.

§ 4643. "State forest" means forest land owned or to be owned by the state.

§ 4645. The department, in accordance with plans approved by the board, may engage in the management, protection, and reforestation of state forests.

§ 4646. The director, acting in accordance with policies adopted by the board, shall administer this chapter. He may exercise all powers necessary to accomplish its purposes and intent.

§ 4647. The department shall prepare a map setting forth the boundaries of purchase areas, and it shall prepare data relating to the forest conditions within these areas. In the preparation of the map and data the department shall be guided by, but not limited to, a report prepared and submitted to the Legislature by the California Forestry Study Committee provided for in Chapter 1086, Statutes of 1943. The department shall make the necessary surveys, examinations, appraisals, inventories, and title searches and obtain other pertinent data and information bearing on tracts of forest land offered for sale for state forest purposes.

§ 4648. Acquisition of forest land pursuant to this chapter shall be made only upon the approval of the director. Approval by the director shall be based on satisfactory evidence presented to him by the board as to the suitability and desirability of lands under consideration for purchase for state forest purposes. This suitability and desirability shall be predicated on, but not limited to, the following factors:

- (a) That the lands are suited primarily to timber growing.
- (b) That the lands represent growing capacities not below the average for the timber region.
- (c) That they are favorably situated for multiple use and economical administration, management, and utilization.

The director shall not approve the acquisition of any lands pursuant to this chapter unless he receives a resolution recommending such action adopted by the board of supervisors of the county in which such lands are situated following a public hearing held by the board of supervisors on the proposed acquisition. Notice of the hearing shall be published pursuant to Section 6066 of the Government Code. The holding of a hearing shall be optional to the board of supervisors for areas of 2,000 acres or less. Upon approval of a purchase by the director, the department may negotiate for and consummate the purchase of the lands.

§ 4649. Whenever it is deemed advisable and advantageous, the board may enter into an agreement with the Department of Corrections, or the Youth Authority for employment of inmates of these institutions in work on state forests.

§ 4650.

- (a) With the approval of the Director of General Services, the director may make sales of forest products from state forests that do not exceed ten thousand dollars (\$10,000) in value without advertising for bids. With the approval of the Director of General

Services, the director may also make sales that do not exceed 100,000 board feet of dead, dying, downed, diseased, or defective trees, trees harvested in connection therewith for thinning purposes or other forest improvement work, or any combination thereof, without advertising for bids.

- (b) Any sale of forest products in excess of ten thousand dollars (\$10,000) in value, or in excess of 100,000 board feet with respect to dead, dying, downed, diseased, or defective trees, trees harvested in connection therewith for thinning purposes or other forest improvement work, or any combination thereof, shall be upon competitive bids. Advertising for bids shall be the same as is generally in use for the sale of state property.

§ 4650.1.

- (a) Notwithstanding any other provision of law, timber from state forests shall not be sold to any California division of a primary manufacturer, or to any person for resale to a primary manufacturer, who does either of the following:
 - (1) Uses that timber at any plant not located within the United States unless it is sawn on four sides to dimensions not greater than 4 inches by 12 inches.
 - (2) Within one year prior to the bid date and one year after the termination of the contract, sells unprocessed timber, which is harvested from private timberlands and is exported into foreign commerce from this state.
- (b) Any purchaser of timber from state forests who makes use of timber in violation of paragraph (1) of subdivision (a) is prohibited from purchasing state forest timber for a period of five years and may have his or her license suspended for a period of up to one year.
- (c) The department may adopt appropriate regulations to prevent the substitution of timber from state forests for timber exported from private timberlands.
- (d) For purposes of this section, "unprocessed timber" means trees or portions of trees or other roundwood not processed to standards and specifications suitable for end product use, but does not include timber processed into any of the following:
 - (1) Lumber or construction timbers, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection Bureau Export R or N list grades, sawn on four sides, not intended for remanufacture.
 - (2) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection Bureau Export R or N list clear grades, sawn on four sides, not to exceed 12 inches in thickness.
 - (3) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, that do not meet the grades referred to in paragraph (2) and are sawn on four sides, with wane less than 1/4 of any face, not exceeding 8 3/4 inches in thickness.
- (e) Chips, pulp, or pulp products.
- (f) Veneer or plywood.
- (g) Poles, posts, or piling cut or treated with preservatives for use as such.
- (h) Shakes or shingles.
- (i) Aspen or other pulpwood bolts, not exceeding 100 inches in length, exported for processing into pulp.

- (j) Pulp logs or cull logs processed at domestic pulp mills, domestic chip plants, or other domestic operations for the purpose of conversion of the logs into chips.

§ 4651. The management of state forests and the cutting and sale of timber and other forest products from state forests shall conform to regulations prepared by the director and approved by the board. These regulations shall be in conformity with forest management practices designed to achieve maximum sustained production of high-quality forest products while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, and aesthetic enjoyment. The sale of timber and other forest products is limited to raw materials only.

§ 4652. Receipts from the sales of forest products shall be deposited monthly with the State Treasurer in the Forest Resources Improvement Fund. The Controller shall keep a record of accounts of such receipts separately.

§ 4653. State-owned lands classified by the department and approved by the board as not suited to the growing of forest products, or necessary to the management of the forest, shall be sold according to state laws.

§ 4654. There shall be paid to each county in which lands acquired for state forest purposes are situated, out of funds hereafter made available for such purpose, an amount equivalent to taxes levied by the county on similar land similarly situated in the county in the same manner as provided in the Revenue and Taxation Code for secured property tax payments as long as the state continues to own the land.

Such payments shall be based only upon the value of the forest lands used for purposes of continuous commercial forest production and not upon value of such forest land used for any other purposes, including any improvements on such lands. Determination of what constitutes similar land similarly situated shall be made by a committee consisting of the county assessor of the county in which the land is located, a representative of the State Board of Equalization and a representative of the department.

The money received by any county pursuant to this section may be expended by it for any proper state purpose not prohibited by the State Constitution.

§ 4655. Tax-deeded lands classified as forest lands, pursuant to Chapter 4.3 (commencing with Section 3534), Part 6, Division 1 of the Revenue and Taxation Code, may be acquired for the state forest purposes through the usual procedure governing the sale of tax-deeded lands.

§ 4656. This chapter does not interfere with the reasonable use of state forests for hunting, fishing, recreation and camping, except as otherwise provided by law.

The use of state forest lands for grazing and mining purposes shall be permitted pursuant to regulations established by the board in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The use and development of water facilities for irrigation and power shall be permitted as provided by law.

§ 4656.1. The board may establish rules and regulations, in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the preservation, protection, and use of state forests and for the promotion and protection of public health and safety within state forests.

§ 4656.2. The department shall protect the state forests from damage and preserve the peace therein.

§ 4656.3. Any person who violates the rules and regulations pertaining to the state forests established by the board is guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1,000).

§ 4657. Insofar as the provisions of this chapter may be in conflict with any other provision of this division, the provision of this chapter shall control.

§ 4658. The Mountain Home Tract Forest in Tulare County shall be developed and maintained, pursuant to this chapter, as a multiple-use forest, primarily for public hunting, fishing, and recreation. In future acquisitions and exchanges of land, as provided by law, the acreage in state ownership shall not be reduced below 4,000 acres.

§ 4660. It is hereby declared to be the policy of the state to establish and preserve an intensively managed, multifaceted research forest which is representative of forest activities as a living forest in Santa Cruz County within northern California's coastal redwood belt. The coast redwoods, as the dominant tree species in this area, are a valuable natural resource and are unique in North America for their beauty, abundance, diversity, and public accessibility, and their extreme beauty and economic value requires special measures for their protection for the use, enjoyment, and education of the public.

It is the intent of the Legislature, in establishing the Soquel Demonstration State Forest, to provide an environment that will do all of the following:

- (a) Provide watershed protection for local communities and base-line monitoring and studies of the hazards, risks, and benefits of forest operations and watersheds to urban areas.
- (b) Provide public education and examples illustrating compatible rural land uses, including sustained yield timber production, as well as the historic development of timbering and forestry machinery, within the context of local community protection and nearby pressures.
- (c) Provide a resource for the public, environmental groups, elected officials, environmental planners, the educational community, and the media as an open environment for the inspection and study of environmental education, forestry practices, and effects thereof.
- (d) Protect old growth redwood trees.

§ 4661. The department may permit a limited amount of commercial timber operations on the property within the Soquel Demonstration State Forest in order to provide funds for the

maintenance and operation of the state forest and to allow fulfillment of the objectives of Section 4660. Income from the state forest property shall sustain all costs of operation and provide income for research and educational purposes.

§ 4662. The department is responsible for the establishment and development of the Soquel Demonstration State Forest and for ongoing maintenance and operations. The director shall appoint an advisory committee to assist the department in planning future management of the forest. The advisory committee shall include representatives of the Santa Cruz County Board of Supervisors, the Department of Parks and Recreation, the State Board of Forestry and Fire Protection, the Forest of Nisene Marks Advisory Committee, and the Department of Fish and Game.

§ 4663. The department, in coordination with the advisory committee, shall adopt by January 1, 1989, a general plan for the state forest which reflects the long-range development and management plans to provide for the optimum use and enjoyment of the living forest, as provided in Section 4660, as well as the protection of its quality and the watershed within the Santa Cruz area. The general plan shall be approved by the advisory committee prior to adoption by the department.

§ 4664. The duties and authority of the department pursuant to this article shall only arise if the state acquires the property comprising the Soquel Demonstration State Forest.

§ 4799.13.

- (a) There is hereby created in the State Treasury, the Forest Resources Improvement Fund. The money in the Forest Resources Improvement Fund may only be expended, upon appropriation by the Legislature, for the following purposes:
- (1) Forest improvement programs and related administrative costs pursuant to Chapter 1 (commencing with Section 4790).
 - (2) Urban forestry programs and related administrative costs pursuant to Chapter 2 (commencing with Section 4799.06).
 - (3) Wood energy programs pursuant to Chapter 4 (commencing with Section 4799.14).
 - (4) Reimbursing the General Fund for the cost of operation of the state forests administered by the director pursuant to Section 4646.
 - (5) Cost of operations associated with management of lands held in trust by the state and operated as demonstration state forests by the department pursuant to Section 4646, if those lands are managed so that they produce revenue that offsets, within a reasonable period of time, any costs to the state of managing those lands
 - (6) Forest pest research and management, technical transfer, and outreach.
 - (7) State nurseries programs pursuant to Article 2 (commencing with Section 4681) of Chapter 10 of Part 2.
 - (8) Costs associated with administration of the Z'Berg-Nejedly Forest Practice of 1973 (Chapter 8 (commencing with Section 4511) of Part 2).
- (b) The Forest Resources Improvement Fund shall be the depository for all revenue derived from the repayment of loans made or interest received pursuant to Chapter 1

(commencing with Section 4790), and the receipts from the sale of forest products, as defined in Section 4638, from the state forests. Ten percent of the net state forest receipts from the sale of forest products, after the General Fund is reimbursed for costs of operating the state forests, is available, upon appropriation by the Legislature, for urban forestry programs pursuant to Chapter 2 (commencing with Section 4799.06) of this part.

- (c) The director may accept grants and donations of equipment, seedlings, labor, materials, or funds from any source for the purpose of supporting or facilitating activities undertaken pursuant to this part. Any funds received shall be deposited by the director in the Forest Resources Improvement Fund. None of these funds received prior to the effective date of the act adding paragraphs (7) and (8) to subdivision (a) are available for the purposes of paragraph (7) or (8) of subdivision (a). (d) Each proposed expenditure by the department of money from the Forest Resources Improvement Fund shall be included as a separate item and scheduled individually in the Budget Bill for each fiscal year for consideration by the Legislature. These appropriations shall be subject to all of the limitations contained in the Budget Bill and to all other fiscal procedures prescribed by law with respect to the expenditure of state funds.

§ 5820. This chapter shall be known and may be cited as the Mendocino Woodlands Outdoor Center Act.

§ 5821. The Legislature finds that there is need for a program to enable the children of the state to better comprehend the outdoors, particularly the social and economic importance of the study, conservation, protection, and utilization of natural resources. The Legislature further finds that the location and facilities of the Mendocino Woodlands Outdoor Center are especially well suited to serve primarily as an outdoor education center under the control and management of the Department of Parks and Recreation, as a unit of the state park system.

§ 5822. The Legislature hereby declares its intent that the Mendocino Woodlands Outdoor Center, consisting of land and facilities deeded to the State of California by the United States of America for public park, recreational, and conservation purposes, shall hereafter be maintained, provided, and operated for the benefit of the people of the state, primarily as an outdoor environmental education facility.

§ 5823. As used in this chapter, unless the context clearly requires a different meaning:

- (a) "Department" means the Department of Parks and Recreation.
- (b) "Center" means the Mendocino Woodlands Outdoor Center, consisting of 720 acres, more or less, of state-owned land and improvements located within the east half of the Northeast Quarter and the east half of the Southeast Quarter of Section 13 of the east half and southwest quarter of the Northeast Quarter and the east half and southwest quarter of the Southeast Quarter of Section 24 of T. 17 N, R. 17 W., M.D.B.M.; the north half and southwest quarter of the Northwest Quarter and the north half of the Northeast Quarter of Section 18 of, and the west half of the Northwest Quarter of Section 30 of, T. 17 N., R. 16 W., M.D.B.M.

- (c) "Area" means the Mendocino Woodlands Special Treatment Area within the Jackson State Forest, consisting of 2,550 acres, more or less, of state-owned lands lying within the south half of Section 12 of; the Northwest Quarter, the west half of the Northeast Quarter, the west half of the Southeast Quarter, and the Southwest Quarter of Section 13 of, the Northeast, Southeast, and Southwest Quarters of Section 14 of, the northeast quarter of the Northeast Quarter of Section 22 of, the north half of Section 23 of, the Northwest Quarter, the northwest quarter of the Northeast Quarter, and the northeast quarter of the Southwest Quarter of Section 24 of, T. 17 N., R. 17 W., M.D.B.M.; and the Southwest Quarter of Section 7 of the southeast quarter of the Northwest Quarter, the south half of the Northeast Quarter, the northwest, northeast, and southwest quarters of the Southeast Quarter and the Southwest Quarter of Section 18 of, and the Northwest Quarter and the west half of the Southwest Quarter of Section 19 of, T. 17 N., R. 16 W., M.D.B.M.

§ 5824. Jurisdiction and control of the center, consisting of 720 acres, more or less, and all the improvements thereon as described in subdivision (b) of Section 5823 is hereby transferred to the department from the Department of Conservation, and shall be administered as a unit of the state park system; except that access shall be provided through the center to the area, as described in subdivision (c) of Section 5823, for purposes of cutting timber under the authority of the State Forester exercised pursuant to Article 3 (commencing with Section 4645) of Chapter 9 of Part 2 of Division 4, in a manner acceptable to the State Forester. It is the intent of the Legislature that title in the aforementioned lands and facilities shall continue to vest in the State of California; and if for any reason their use for the purposes of this chapter be deemed by the department no longer to be in the public interest, then they shall be restored through future legislation to the jurisdiction and control of the Department of Conservation.

§ 5825. The department shall prepare a plan for the protection and management of the center and shall submit the plan to the Legislature, for its consideration, no later than January 15, 1977. The plan shall include, but need not be limited to, the following considerations.

- (a) Means of ensuring the health, safety and comfort of center users while, at the same time, ensuring that the natural and rustic aspects of the center and its facilities are preserved.
- (b) The need for providing additional, all-weather lodging, dining and instructional facilities suitable for use by schoolchildren.
- (c) The protection and utilization of those resources of the center useful for outdoor study.
- (d) The suitability of the center for public uses, other than outdoor education, appropriate to the state park system.
- (e) The suitability of the continued use of the center by cultural, social, and youth organizations similar to those which have used the center prior to the effective date of this chapter.
- (f) The relationship of the center to the Jackson State Forest, Jughandle Creek, Pygmy Forest Park project, Big River project, Mendocino Headlands Park project, and other adjacent or nearby recreational, scientific, or scenic resources, so as to assure optimum public access, use, and enjoyment of such sites and resources.

- (g) The advisability of transferring or acquiring additional lands so as to ensure the administrative efficiency of the center.
- (h) The organizational and funding requirements of programs proposed to be undertaken at the center in accordance with this chapter.
- (i) Estimated utilization rates and the nature and level of fees necessary to make the center program essentially self-sustaining.

§ 5826. The department shall consult with the Department of Education, and may cooperate with individuals and agencies having jurisdiction or expertise in matters pertaining to the outdoor education programs contemplated in this chapter.

§ 5827. The department may enter into operating agreements with any qualified, nonprofit entity for the provision of any program or service contemplated in this chapter. Prior to entering into any such agreement, the department shall submit a copy of the proposed agreement to the Legislative Analyst for his review and recommendations, which shall not, however, be binding. Failure of the Legislative Analyst to respond within 30 days after submission of a proposed agreement shall be deemed to constitute approval by the Legislative Analyst of the proposed agreement.

§ 5828. The department is encouraged to establish an advisory committee of persons interested and knowledgeable in the operation and nature of the center, and in the formulation and conduct of outdoor environmental education programs, to assist it in formulating the plan and actions contemplated in this chapter.

§ 5829. Prior to authorizing the sale and cutting of timber from the area described in subdivision (c) of Section 5823, the State Forester shall solicit and consider the recommendations of the Department of Parks and Recreation with respect to the prevention of unnecessary or unreasonable interruption or loss of facilities or resources essential to center operations.

2. CALIFORNIA CODE OF REGULATIONS

Chapter 9. State Forests-Use and Sales (Formerly Subchapter 8, 9, and 9.1 of Chapter 2, Division 2, Title 14, Cal. Adm. Code.)

Subchapter 1. Recreational Use

Article 1. Abbreviations and Definitions

§ 1400. Abbreviations.

The following abbreviations are applicable throughout this Chapter.

- (a) B&M Baseline and Meridian reference lines running in true EW and NS directions used in U. S. General Land Survey
- (b) CAC: California Administrative Code.

- (c) cm: Centimeter(s)
 - (d) E: true cardinal direction East
 - (e) ha: hectare(s)
 - (f) M: meter(s)
 - (g) MD: Mount Diablo (used in combination with B&M)
 - (h) N: true cardinal direction North
 - (i) PRC: Public Resources Code
 - (j) R : Range : a row of townships, six miles in width, between two successive meridian lines of the U. S. General Land Survey
 - (k) S: true cardinal direction South
 - (l) Sec.: Section
 - (m) T: Township: a tier of ranges, six miles in length between two successive standard parallels as used in the U. S. General Land Survey
 - (n) W: true cardinal direction West
- Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Section 4656.1, Public Resources Code.

§ 1400.5. Definitions.

The following definitions are applicable throughout Chapter 9 unless the context clearly requires otherwise.

- (a) "Affiliate" means the purchaser's subsidiary, parent company, joint venture partner, entity, being a portion of the conglomerate of which the purchaser is a unit, or other entity under the purchaser's indirect control.
- (b) "Board" means the California State Board of Forestry and Fire Protection.
- (c) "Campfire" means a fire used by one or more persons while camping, picnicking, recreating or working on state forest land, to provide any one or combination of the following: heat for cooking, heat for personal warmth, light and for ceremonial or aesthetic purposes. "Campfire" includes open fires and those fires contained within fireplaces and enclosed stoves with flues or chimneys, stoves using pressurized liquid or gaseous fluids, portable barbecue pits and braziers or space heating devices which are used outside any structure, trailer house or living accommodations mounted on a motor vehicle.
- (d) "Camping" or camp means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit remaining overnight; or occupying an established campsite with a camper vehicle or camping equipment for the purpose of reserving the use of such campsite. The term also includes parking a camper vehicle or trailer and spending the night within, or within close proximity of said camper vehicle or trailer.
- (e) "Designated camping area" means a location designated by the state forest manager as a camping area and marked by authorized signs to that effect. Unless otherwise delineated by fences or signs, a "designated camping area" shall include only the area developed for camping and provided with fireplaces or tables or both, and shall not include any adjacent areas not so developed for camping.
- (f) "Department" means the California Department of Forestry.
- (g) "Director" means the Director of Forestry.

- (h) "person" means and includes natural persons, firms, co-partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves, by agent, servant, or employee.
- (i) "Purchaser" means that person, company or entity who was the successful bidder, buyer, transferee or successor of state timber.
- (j) "State forest" or forest means any portion of the state forest system administered by the Director.
- (k) "State forest licensee" means any person authorized by a state forest manager or the superiors thereof, to engage in any of the following activities within a state forest:
 - (l) operate concessions serving the public.
 - (m) plant, protect, harvest or remove timber, or other forest products or minerals.
 - (n) conduct experiments or otherwise engage in research or educational activity.
 - (o) Or any other activity not listed above with written permission of the Director.
- (p) "State forest manager" means the state forest officer appointed by the Director to supervise the management and administration of a state forest or in the state forest manager's absence, the person designated by a state forest manager to act during his or her absence.
- (q) "State forest officer" means employees of the Department of Forestry as designated by the Director, or such other persons as may be designated by the Director.
- (r) "State timber" means any or all trees, logs or wood products from state-owned forests, which have not received primary manufacture to a size sawn on 4 sides to dimensions of 4 inches by 12 inches (10.2 cm by 30.5 cm), or less.
- (s) "Substitution" means the replacing of state timber for unprocessed timber which, directly or indirectly, was exported to a foreign country from private lands owned or controlled by the purchaser within California in an area 200 miles (321.8km) or less from the nearest boundary line of the state timber sale area from which state timber was removed. The distance will be determined via the shortest route of either public roads, railroads, or water route customarily used to transport forest products.
- (t) Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Section 4656.1, Public Resources Code.

ARTICLE 2. Camping Area Use

§ 1401. Camping Area.

Camping in state forests is restricted to designated camping areas. No person shall camp outside of a designated camping area unless that person or someone in attendance has in their possession a valid state forest campfire and special use permit. Failure to comply with the terms and conditions set forth on said permit shall render it invalid for purposes of this Section.

§ 1402. Campfire Permits.

- (a) No person shall prepare, ignite, maintain or use a campfire in any place other than a designated camping area unless that person or someone in attendance has in their possession a valid state forest campfire and special use permit. Failure to comply with the terms and conditions set forth on said permit shall render it invalid for purposes of this Section.

- (b) No person shall prepare or ignite a campfire which is or will be unreasonably large and/or dangerous to the surrounding land, or maintain such a fire after having been ordered by a state forest officer to reduce or extinguish it.
- (c) No person shall leave a campfire ignited, maintained or used by that person unattended.

§ 1403. Occupancy Time Limits.

No person shall camp within any one state forest more than 14 days in any single visitation. Consistent with Section 4455 of Title 14, California Code of Regulation, General Occupancy by the same persons, equipment, or vehicles of any camping facility is limited to a total of 30 days in any calendar year in that State Forest. Exceptions may be granted by the state forest manager to persons engaged in official state business.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4643, 4645, 4646 and 46546.2, Public Resources Code.

§ 1404. Reservations.

Individual campsites may not be reserved. The term “reserved” includes, but is not limited to, calling or writing in advance to obtain a campsite, a person occupying one or more campsites temporarily until another party arrives, placing camping equipment in a campsite prior to actual occupancy by another party, or other means of obtaining a campsite for a person or persons not actually present in the state forest.

§ 1405. Conduct.

No person shall use threatening, abusive, boisterous, insulting or indecent language or make any indecent gesture in a state forest at such times and in such locations as to disturb other persons; nor shall any person conduct or participate in a disorderly assemblage. Clothing sufficient to conform to common standards of decency shall be worn at all times when the wearer is subject to public view.

§ 1406. Assembly.

No person shall conduct a public assembly or demonstration except on permission of the state forest manager upon finding that the time, place and manner of such activity would not substantially interfere with the use of the state forest by the general public in the applicable area.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4656.1 and 4656.2, Public Resources Code.

ARTICLE 3. GENERAL RESTRICTIONS

§ 1410. Nuisance.

No person shall erect any structure on or allow a campsite occupied by that person to become littered with refuse.

§ 1411. Equipment.

No person shall occupy a site with camping equipment or vehicles prohibited by the state forest manager.

§ 1412. Noise.

No person shall create noise which disturbs others in sleeping quarters or in campgrounds within a state forest between the hours of 11 p.m. and 6 a.m. daily. No person shall, at any time, use electronic equipment (other than that used in forest operations) including electrical speakers, radios, phonographs, or televisions which produces a sound that can be heard at more than 100 feet from the source.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4656.1 and 4656.2, Public Resources Code.

§ 1413. Weapons.

- (a) No person shall discharge any firearm, air or gas weapon, or bow and arrow in the vicinity of camps, residence sites, recreation grounds and areas, and over lakes or other bodies of water adjacent to or within such areas, whereby any person is exposed to injury as a result of such discharge.
- (b) Without limiting the foregoing, no person shall discharge any of the above named weapons or any other weapon while within 150 yards (137.20 m) of any designated camping area.

§ 1414. Soliciting.

No person shall sell or offer for sale any goods or services within a state forest unless licensed by the state forest manager.

Note: Authority cited: Section 44656.1, Public Resources Code. Reference: Sections 4656.1 and 4656.2, Public Resources Code.

§ 1415. Firewood.

Campers, picnickers and other recreational users may gather dead wood lying on the ground for use within the state forest. No person shall remove firewood or other forest products from any state forests without the written consent of the state forest manager.

§ 1416. Defacing Plants.

- (a) No person shall cut or deface live trees, or remove shrubs, plants or portions thereof, or destroy, deface or remove forest products of any description.
- (b) Annual fruits of native plants such as gooseberries, elderberries and blackberries may be picked and empty conifer cones may be taken for non-commercial use.
- (c) This section shall not apply to state forest licensees when acting within the scope of their authorization.

§ 1417. Geological Features.

No person shall destroy, disturb, mutilate or remove earth, sand, gravel, oil, minerals, rocks or features of caves. This Section shall not apply to state forest licensees when acting within the scope of their authorization.

§ 1418. Horticulture.

In order to control soil erosion, conserve water and preserve the natural condition of state forests, no person shall plant, tend or harvest within a state forest any herbs, flowers, vegetables, or fruits except as permitted by Section 1416(b). This section shall not apply to state forest licensees when acting within the scope of their authorization.

§ 1419. Improvements.

No person shall mutilate, deface, damage or remove any table, bench, building, sign, marker, monument, fence barrier, fountain, faucet, gate, lock, water storage tank or other structure, facility, equipment or property within a state forest.

§ 1420. Unauthorized Signs.

No person shall cut, carve, paint, post or otherwise affix in a state forest any bill, advertisement or inscription on any tree, natural geologic formation, fence, wall, building, monument or other property whether improved or unimproved. This section shall not apply to state forest licensees when acting within the scope of their authorization.

§ 1421. Rubbish.

- (a) No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, waste paper, cans or other rubbish in a state forest except in a receptacle designated for that purpose.
- (b) Without limiting the foregoing, no person shall vacate campsite without removing all of the above-mentioned refuse thereon and depositing it in a receptacle designed for that purpose.

§ 1422. Polluting Waters.

No person shall deposit, permit to pass into, or willingly allow any substance in any spring, stream, lake or other waters within a state forest which will tend to cause said waters to become unfit for human consumption, deleterious to fish and plant life, or which will destroy the aesthetic qualities of the waters. This section includes, but is not limited to, the washing of clothing or other materials, and the disposal of body or other wastes.

§ 1423. Animal Waste.

Persons keeping dogs, cats, or other animals within designated camping areas are responsible for removing and burying any and all droppings of said animal, and failure to do so within a reasonable time, or upon order of a state forest officer, shall constitute a violation of this Section.

§ 1424. Pets.

- (a) No person shall bring a dog, cat or other animal into a designated camping area unless it is confined, or in a vehicle, or upon a leash not longer than 6 feet (1.83 m), or otherwise under physical restrictive control at all times.
- (b) No person shall keep within a state forest a dog or other animal which is noisy, vicious, dangerous or disturbing to other persons after having been ordered by a state forest officer to remove said animal from the state forest.

§ 1425. Horses.

- (a) No person shall bring saddle, pack or draft animals into a designated camping area unless it has been developed to accommodate them and is posted accordingly.
- (b) No horse or other animal shall be hitched to any tree, shrub or structure in such a way that it may cause damage thereto.
- (c) Persons bringing animals into a state forest are responsible for providing them with feed, and no person shall allow any saddle, pack or draft animal to graze on any portion of the state forest not specifically designated by the state forest manager as suitable for grazing purposes.

§ 1426. Smoking.

Smoking on state forest land covered with flammable vegetation or ground litter while traveling on foot, cycle or domestic animal is prohibited between April 1 and December 1 of any year, and in areas posted against smoking. Smoking is permitted in the following locations: Within improved campground, inside vehicles on improved roads, in places of habitation, and while stopped in an area of at least 3 feet (0.91 m) in diameter cleared of flammable vegetation and ground litter, provided however when smoking within a 3 foot (0.91 m) clearing that all glowing substances are extinguished and discarded within the cleared area.

§ 1427. Archeological Features.

No person shall collect or remove any object or thing of archeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archeological or historical interest or value is found.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4656.1, 4656.2 and 4656.3, Public Resources Code.

ARTICLE 4. VEHICLES

§ 1430. Parking Time Limits.

The state forest manager may by order establish limits of time for the parking, storage, or leaving of vehicles, including trailers, in a state forest and in units or portions thereof. No person shall so park, store or leave a vehicle or trailer in contravention of such orders when such time limits have been posted in the area affected. Nothing herein shall be construed in derogation of other state forest regulations.

§ 1431. Cross-Country Travel Prohibited.

Motor vehicles shall be operated only on roads and in parking areas constructed for motor vehicle use. Trail bikes, motorcycles, jeeps, pickups, and other passenger-carrying motor vehicles shall not be operated on any road or trail posted as closed to the public or to such use.

§ 1432. Speed Limits.

History

1. Repealer filed 2-1-83; effective thirtieth day thereafter (Register 83, No.6).

§ 1433. Vehicles In Camping Areas.

No person shall drive any motorbike, motorcycle or other motor vehicle on any roads within designated camping areas for any purpose other than access to, or egress from the area.

ARTICLE 5. Restricted Use Areas

§ 1435. Areas Closed to Hunting, Trapping, and the Use of Firearms.

The following areas are closed to hunting, trapping, and the use of firearms.

(a) Area in Tulare County.

- (b) The area approximately 440 acres (178.068 ha), more or less, located in Tulare County and described as follows: lying north, south, east and west of Balch Park being those parts of Sec. 36, T19S, R 30E, Sec. 31, T19S, R31E, Sec. 6T20S, R31E, and Sec. 1 and 2, T20S, R30E, that are bounded as follows: from the intersection of the north line of said Sec. 1 with the Balch Park road northerly along this road to its junction with the Lace Meadow road; thence easterly along said Lace Meadow road to its intersection with the north line of the SE $\frac{1}{4}$ of Sec. 36, T19S, R30E; thence east along said line to the Summit road; thence southerly along the Summit road to its junction with the Balch Park road; thence southwesterly along the Balch Park road to its junction with the Bear Creek road; thence southwesterly along the Bear Creek road to its intersection with the south line of Sec. 2 to the old Coburn Mill road; thence along the Coburn Mill road to its intersection with the north line of the SE $\frac{1}{4}$ of Sec. 2 to the quarter corner between Sec. 1 and 2; thence along the west and north lines of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1 to the SW corner of the Balch Park property; and thence easterly and northeasterly, thence easterly, thence northerly, thence westerly, thence southerly, and finally westerly along the boundaries between Balch Park and the Mountain Home State forest to the point of beginning. All townships are described from the MDB&M.

(c) Area in Mendocino County:

The areas located in Mendocino County and described as follows:

- (a) Mendocino Woodlands area, approximately 3,000 acres (1214.100 ha), more or less. That portion of Mendocino Woodlands area laying south and east of the Little Lake Mendocino (city) road, and south of Jackson State Forest road 740, being all of Sec. 13 and portions of Secs. 1, 11, 12, 14, 15, 22, 23, and 24 of T17N, R17W, and portions of Secs. 7, 18, 19 and 30 of T17N, R16W, all MDB&M.
- (b) Parlin Fork Conservation Camp area, approximately 1,500 acres (607.500 ha), more or less. The E $\frac{1}{2}$ of Sec. 32, T18N, R16W, MDB&M. All of Secs. 33, T18N, R16W, MDB&M. That portion of Sec. 4, T17N, R16W, MDB&M, lying north of state highway 20.

- (c) Chamberlain Creek Conservation Camp area, approximately 1,020 acres (412.794 ha), more or less. All of Sec. 5, T17N, R15W, MDB&M; N ½ of Sec. 8, T17N, R15W, MDB&M; N ½ of Sec. 9, T17N, R15W, MDB&M.

§ 1436. Areas Closed to Hunting and the Use of Firearms.

The following area is closed to hunting and the use of firearms:

(a) Area in Shasta County.

The area of approximately 320 acres (129.504 ha), being a portion of the Latour State Forest immediately surrounding the Latour Forest Headquarters and Forest Fire Station. Said lands being located in Shasta County and being described as follows: lying south and east of Mc Mullen Mountain being the SE ¼ of Sec. 1 and the NE ¼ of Sec. 12, T32N, R2E, MDB&M.

§ 1437. Fire Hazard

History

1. Repealer filed 2-1-83; effective thirtieth day thereafter (Register 83, No. 6).

§ 1438. Temporary Restricted Use.

To insure the safety and health of persons, to avoid interference in development, construction, research and timber management, or to provide for the security, safeguarding and preservation of property within a state forest and portions thereof, a state forest manager or the period of time not to exceed 1 year.

- (a) Notices prescribing the prohibited activity shall be posted in such locations as will reasonably bring them to the attention of the public.
- (b) No person shall, while in the restricted area, engage in the activity so prohibited.

§ 1439. Temporary Restricted Use.

To insure the safety and health of persons, to avoid interference in development, construction, research and timber management, or to provide for the security, safeguarding and preservation of property within a state forest and portions thereof, a state forest manager or the superiors thereof may order any portions of a state forest closed to public use or entry for a period of time not to exceed 1 year.

- (a) A copy of the order shall be posted at the state forest headquarters and may specify such reasonable classes of persons who may enter the closed area in the conduct of such proper activities or official duties as the forest manager or the superiors thereof may prescribe.
- (b) Notices designating the area closed to entry shall be posted in such locations as will reasonably bring them to the attention of the public. Such notice may specify the period or periods of closure.
- (c) During this period when an area is closed to public entry, only persons specifically authorized by the order of closure may enter or remain within the area so closed.

This section shall not be construed in derogation of any other state forest regulation.

Subchapter 4. Timber Sales**§ 1510. Harvesting and Management.**

The harvesting of forest products from state forests and management of state forests shall follow management plans developed for each forest by the Director, and approved by the Board.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4656, 4651, and 4656.1, Public Resources Code.

§ 1511. Timber Sales.

When selling timber from state forests as authorized by PRC 4650-4651, the Director shall comply with the requirements of the Department of General Services and Department of Finance pertaining to the sale of state property. Such timber sales shall be conducted and administered by the Director following procedures promulgated in the State Administrative Manual (SAM) for contracting and sale of state property.

Note: Authority cited: Section 4656.1, Public Resources Code. Reference: Sections 4651 and 4656.1, Public Resources Code.

§ 1515. Bids Solicitation.

The Director, when selling or soliciting bids for sale of timber from state forests, shall condition the sale upon agreement of the purchaser that said timber will not be substituted for timber exported from private lands under control of the bidder, or affiliate.

§ 1516. Non-Substitution Agreement.

Every purchaser of timber from state forests shall execute an agreement with the Director that said timber will not be substituted for timber exported from the purchaser's private land.

§ 1517. Notice of Removal.

The purchaser, before removal of timber from state forests, shall give written notice to the Director of any or all locations where said timber will be processed. Said notice shall be required for all of said timber until such time as the timber has been sawn to dimensions of 4 inches by 12 inches (10.2 cm by 30.5 cm) or less.

§ 1518. Transfer Requirement.

Upon transfer of state timber not receiving primary manufacture, the purchaser shall require the transferee to agree to the same substitution restrictions as are imposed on purchaser. Within 5 days of said transfer, a copy of the agreement, together with location of intended processing of said timber, shall be delivered by purchaser to the Director.

§ 1519. Preservation of Records.

Purchaser shall preserve for a period of 3 years, after conclusion of removal of timber from the state forest, all records pertaining to the use and disposition of the state timber and, upon request of the Director, make said records available for inspection by the Director.

§ 1520. Violation.

History

1. Repealer filed 2-1-83; effective thirtieth day thereafter (Register 83, No. 6).

§ 1521. Notice of Violation and Review.

If the Director determines that a purchaser has violated any provision of these regulations, a Notice of Violation shall be sent certified mail to purchaser with the further statement that purchaser shall be prohibited from purchasing state timber for a period of 5 years from the date of violation and said notice will designate the period of suspension of the timber operator permit, if any, not exceeding a period of 6 months from the date of notice. Within 30 days of said notice, purchaser may make written appeal to the Director for review. The Director, upon his or her option, may act on the appeal either by open hearing or submission of written documents and proof. A decision of the Director is final.

3. BOARD OF FORESTRY AND FIRE PROTECTION POLICIES

CHAPTER 0310 - BOARD POWERS AND RESPONSIBILITIES

GENERAL POWERS AND RESPONSIBILITIES

0311

- Included within the function of the Board of Forestry and Fire Protection is the power and responsibility to:
- Represent the State's interest in the acquisition and management of State forests;

COOPERATIVE AGREEMENTS, NURSERY, INSECT CONTROL, LAND GIFTS 0315

Board powers and responsibilities include:

- Recommend and, if necessary, set conditions for accepting gifts of land for the State Forest System;

STATE FORESTS

0316

Board powers and duties regarding State forests include:

- Determine approval of Department of Forestry forest management plans in State forests;
- Recommend and promulgate resolutions for acquisition of State forest properties if it is deemed appropriate;
- Determine approval of State forest land sales due to unsuitability for forest purposes;
- Establish rules for the preservation, protection, and use of State forests.

LAND AVAILABILITY

0334.3

In order to maintain timber growing land in California as a permanent source of current and future timber supply, the Board has found that it is in the public interest:

- To manage all prime timberland on State forests to investigate and demonstrate management for optimum long-run timber production. Where such forest lands contain or adjoin areas of high recreation value in State or other ownership, timber growing and

harvesting practices may be modified in order to minimize conflicts between other land uses and to demonstrate the costs and effectiveness of such practices.

CHAPTER 0350 - FOREST MANAGEMENT POLICIES

STATE FORESTS 0351

GENERAL 0351.1

California's State forest system has been in existence since 1946 when the first large forest properties were acquired. Sections 4631-4658 of the Public Resources Code provide the authority for acquisition, administration, and operation of State forests by the Department. Most of these statutes were enacted in 1945 following recommendations of the Forestry Study Committee established by the Legislature in 1943. There are now seven State forests totaling 68,654 acres as shown below:

STATE FORESTS IN CALIFORNIA - 1982

State Forest	County	Area (Acres)	Date Acquired
Jackson	Mendocino	50,505	1947-51, 1968
Latour	Shasta	9,013	1946
Mountain Home	Tulare	4,562	1946
Boggs Mountain	Lake	3,454	1949, 1972
Las Posadas	Napa	796	1929 (gift)
Mount Zion	Amador	164	1932 (gift)
Ellen Pickett	Trinity	100	1939 (gift)

Jackson, Latour, Mountain Home, and Boggs Mountain State Forests are commercial timberland areas managed by professional foresters who conduct programs in timber management, recreation, demonstration, and investigation in conformance with detailed management plans. Las Posadas, Mount Zion, and Ellen Pickett State Forests were acquired as gifts to the State and are relatively noncommercial in nature. These smaller forests are used primarily for administrative and recreational purposes and are managed

by local Department of Forestry personnel incidental to other responsibilities. Deed restrictions preclude some uses on these forests.

A large acreage of potentially productive timberland in California is not producing a satisfactory growth of young timber. To attain proper management of private timberlands in California, there is a need to investigate, develop, and demonstrate new and improved forest management methods to timberland owners and the public. The State forests serve this purpose while contributing to the economic stability of local communities by providing high yields of forest products which sustain local employment and tax bases. Outdoor recreation is an important public benefit of the state forests.

The significance of the State forest program in demonstrating improved practices will increase as the demand for forest products increases and as public interest in forest management practices intensifies. Demonstrations of the compatibility and conflicts involved in multiple use of forest land are essential as population and development pressures increase on California's forest lands.

The State forests require a stable land base to facilitate long range planning necessary in forest land management. There is an urgent need to preserve the integrity of the existing State forests to assure their continued management according to legislative intent contained in PRC Section 4631. Reduction of private and public inholdings through purchase or exchange is needed to allow more efficient management of the existing State forests. Additional small demonstration forests (under 2,000 acres) adapted to meeting local requirements for investigation, demonstration, and education are needed in those counties where management of small timber ownerships is inadequate and no demonstration forests exist. There may be lands already in State ownership that could partially meet this need.

In consideration of the above facts, the Board of Forestry and Fire Protection has adopted the following policies to guide the Department of Forestry in administering the State forest program and managing the State forests.

PROGRAM PURPOSE AND LAND USE PRIORITIES

0351.2

The primary purpose of the State forest program is to conduct innovative demonstrations, experiments, and education in forest management. All State forests land uses should serve this purpose in some way. In addition:

- A. Timber production will be the primary land use on Jackson, Latour, and Boggs Mountain State Forests. Timber production will be subordinate to recreation on Mountain Home State Forest;
- B. Recreation is recognized as a secondary but compatible land use on Jackson, Latour, and Boggs Mountain State Forests. Recreation is a primary use on Mountain Home State Forest as prescribed by Section 4658, Public Resources Code:

- C. State forest lands may be used for Department administrative sites when such use will benefit State forest programs or protection;
- D. Special uses primarily benefiting non-forestry and/or private interests will have low priority. Such uses that conflict with State forest objectives are discouraged.

DEMONSTRATIONS AND EXPERIMENTS

0351.3

The Board, consistent with PRC Section 4631, recognizes and reaffirms that the primary purpose of State forests is to conduct demonstrations, investigations, and education in forest management. The Board wishes to emphasize and expand demonstrational, experimental, and educational activities on the State forests. Accordingly, in the operation of State forests, the Department will:

- A. Conduct a balanced program of demonstrations and investigations in silviculture, mensuration, logging methods, economics, hydrology, protection, and recreation; directed to the needs of the general public, small forest landowners, timber operators and the timber industry.
- B. Continue and develop procedures to assure dissemination of information obtained on State forests to forest landowners, (especially small owners), timber operators, and the general public.
- C. Integrate the Department's Service Forestry Program with State forest demonstration activities to more effectively reach small forest landowners and the general public.
- D. Conduct periodic field tours to exhibit State forest activities and accomplishments to forest industry, small forest landowners, relevant public agencies, and the general public. Field tours should be initiated by the Department and conducted at such times and places to encourage general public attendance.
- E. Seek special funding as needed from the Legislature to support specific research projects on State forests.
- F. Consult with and solicit the cooperation of the State universities and colleges, U.S. Forest Service, and other public and private agencies in conducting studies requiring special knowledge. Enter into cooperative agreements with other public and private agencies for investigating forest management problems of mutual interest. It is particularly of mutual benefit to make the State forests available to educational institutions, and other agencies for research projects.
- G. Cooperate with the Department of Parks and Recreation in establishing forest management demonstration areas compatible with recreation for educational purposes adjacent to the Mendocino Woodlands Outdoor Center on Jackson State Forest.

TIMBER MANAGEMENT

0351.4

Purposes and policies for timber management on state forests are established in PRC Sections 4631 and 4651. The Board has further established the following policies pertaining to management and harvest of timber on State forests:

- A. The Department will conduct regular periodic timber sales on Jackson, Latour, Boggs Mountain, and Mountain Home State Forests. Harvesting may be deferred in accordance with an approved management plan;
- B. A rotation age, cutting cycle, and an allowable annual cut will be established for each State forest from which timber is harvested. Timber harvesting schedules should be projected at least five years into the future;
- C. Allowable cut levels must be derived from pertinent current inventory and growth data;
- D. State forest timberlands will be managed on the sustained yield principle, defined as management which will achieve and maintain continuous timber production consistent with environmental constraints;
- E. State forest timber stands should be harvested on the basis of maximizing mean annual increment of high quality forest products. This should not preclude intermediate cuts designed to increase total yield and reduce losses from mortality;
- F. Timber production and harvesting should provide for coordination with other State forest uses. Silvicultural practices should be compatible with recreation, soil, water, wildlife, and fishery values, and aesthetic enjoyment;
- G. Economically and ecologically justifiable intensified forest management practices to increase total fiber production and timber quality will be pursued on the State forests. These practices will be designed and carried out for maximum applicability (or demonstration values) to private lands. Financing to conduct such intensive silvicultural practices should be actively sought by the Department;
- H. Timber sales should have demonstrational value and include experimental and educational aspects whenever possible.

RECREATION ON STATE FORESTS

0351.5

- A. Recreation is recognized as a secondary, but usually compatible use, on Jackson, Latour, and Boggs Mountain State Forests. Recreation is a primary use on Mountain Home State Forest as prescribed by section 4658, Public Resources Code.
- B. The recreation program on State forests will make camping and day use facilities available to the general public, offer a degree of control and protection to the forests,

and demonstrate that recreational use and timber management can be compatible land uses.

- C. Campgrounds, picnic areas, and trails will be developed on State forests, as funds become available, but only consistent with the recreational carrying capacity as determined in the management plan.
- D. Recreation improvements will generally be rustic in character with sanitary facilities and water sources which meet public health requirements. Special attention should be given to maintaining safe and sanitary conditions in all recreation sites utilized by the public.
- E. Recreation use will be integrated with timber management activities to demonstrate how these uses can be compatible. The presence of recreationists on the State forests presents a unique opportunity to explain timber management to the general public.
- F. The State forests will remain open for public hunting and fishing in accordance with State Fish and Game regulations except for specified closures required for public safety and forest protection as authorized by law.

SPECIAL USES OF STATE FORESTS

0351.6

Special uses of State forests will be permitted only when there is a clear benefit to the State and when such uses do not conflict with primary (uses) programs of timber management, demonstration, research, and recreation.

- A. Use of State forests for mining, grazing, and commercial concessions is discouraged.
- B. Although the state Lands commission has primary jurisdiction over geothermal resources on state forests, surface operations of geothermal developers will be strictly controlled by the department in accordance with regulations adopted by the Board contained in 14 CAC Section 1500-1503.

GRANTING TEMPORARY PERMITS FOR PASSAGE

0351.7

It is desirable to grant temporary permits for passage across State forests to forest products operators or other parties having need of them in the course of their operations where such permits do not interfere with the primary uses of State forests by the State. Applications for temporary permits for passage may be made to the Director who will be guided by the following principles in submitting applications to the Director of General services for approval.

- A. Temporary permits for passage will be granted on a reciprocal basis where practicable.

- B. The State will have free use of all lands and routes over which permits for passage have been granted.
- C. The State will reserve the right to cross, recross, and parallel any such lands or routes with its own roads or utilities.
- D. Temporary permits for passage will be limited to a minimum economical width but in no case shall exceed 60 feet except for needed cuts and fills.
- E. The grantee of any temporary permits for passage will pay the State the current market value of timber necessarily cut or damaged in clearing and construction on State lands, provided that the price and volume will be determined by the Director, and such timber when paid for will belong to the operator.
- F. Temporary permits for passage will be of such duration as to meet the reasonable needs of the grantee. Three years' non-use of any permit for passage for the purpose granted will constitute an abandonment forfeiture thereof unless the period of non-use is otherwise agreed upon.
- G. The State will be reimbursed for any damage caused to State property in the construction and/or maintenance of such, provided that the grantee will hold the State harmless from any and all liability arising from the construction, maintenance and/or use of areas covered by such permits for passage.
- H. Where it appears that benefit will result to the State, any charge for such permit for passage may be reduced accordingly.
- I. All slash and snags on the area covered by a permit for passage will be disposed of by the grantee. The grantee will have the same responsibility for fire protection on any such area as is required by the Board for fire protection on a timber operating area.

PERMANENT EASEMENTS ACROSS STATE FOREST LANDS

0351.8

Permanent easements across State forest lands are sometimes necessary to allow adjacent owners access, use and development of their property. Granting of permanent easements across State forest lands can influence the development of subdivision or rural residential complexes which are not in harmony with State forest management activities.

- A. The Board does not support or encourage residential development within State forest boundaries or on lands contiguous with State forest boundaries. The following guidelines will be followed by the Director in considering request for permanent easements:
 - i. Requests for permanent easements and widening of existing easements will be discouraged, but may be considered when no other routing through non-State

forest land is physically possible or if such other routing presents substantial and unreasonable difficulties or environmental damage;

- ii. Requests for permanent easements will be submitted by the applicant in complete and understandable form with appropriate engineering data and plats as may be required by the Director. The applicant will prepare any required environmental documents and bear all administrative costs associated with processing his easement agreement;
 - iii. Requests for permanent easements will be accompanied by a non-refundable deposit to cover administrative and engineering costs involved in studying the request. The deposit will be applied toward any fees charged if an easement agreement is consummated. This non-refundable deposit will be forfeited by the applicant if for any reason an easement agreement is not granted by the State. All fees may be waived where reciprocity is a consideration;
- B. In those special cases where permanent easements are necessary for subdivision rural residential development, the easement will be accepted by the county as part of the public road system and developed to public road system standards;
- C. To prevent proliferation of roads and easements, parcels with multi-ownerships will be required to share a common easement across State forest lands if at all feasible. This may involve substantial increases in planning, negotiation, engineering and cost to the original applicant;
- D. To maintain control of easement use which could lead to subdivision rural residential development, an effort will be made to formalize by agreement, any prescriptive rights to State forest roads which adjacent owners may have acquired through uncontested use;
- E. Permanent easement requests will be considered for only the minimum width and minimum development needed for the requested use;
- F. A clause will be included in all permanent easement agreements guaranteeing the State all forest management options in areas adjoining privately developed lands without interference from the grantee;
- G. The Director will record all permanent easement agreements with the local county.

STATE FOREST LAND ACQUISITION POLICY

0351.9

- A. The State forests should remain intact as management units without further diversion of productive area to non-forestry purposes. There should be no future transfers of commercial timberland from the state forests except where such transfers meet the program objectives of the State forests.

- B. Private and public inholdings within the State forests should be reduced through acquisition or exchange. Irregular property lines should be rectified by acquisition or exchange, where desirable, to facilitate efficient management and to avoid conflicting land uses on adjacent areas. Inholdings and irregular property lines present an especially acute problem on Mountain Home State Forest which should be resolved as soon as possible. Certain boundary line adjustments would also be desirable on Jackson and Latour State Forests.
- C. Public Resources Code Section 4631(c) permits acquisition of "Demonstration forests of 2,000 acres or less adapted to furnish local needs of investigation, demonstration, and education in those timber counties where the ownership pattern is such that management of small areas is an important problem." Existing Department administrative sites involving significant timberland areas should be analyzed to determine if they could be utilized as demonstration state forests. Las Posadas, Mount Zion, and Ellen Pickett State Forests should be studied to determine if they contribute to the State forest program, or if they should be sold or exchanged for areas more suitable for State forest purposes.

STATE FOREST MANAGEMENT PLANS

0351.10

Management Plans for Boggs Mountain, Jackson, Latour, Mountain Home and Soquel Demonstrations State Forests shall be prepared by the Department, with appropriate public review, for approval by the Board. The Department shall present to the Board a thorough review of each existing plan at least every five years. After each review, the Board may direct the Department either to continue management under the existing plan, to prepare amendments to the plan, or prepare a new plan for public review and Board approval. The Department shall submit the requested amendments or plan to the Board within one year after each request. The Department shall continue management under existing plans with appropriate consideration for changes in law or regulation, until amendments or new plans are approved by the Board.